

WFC APPROVED 2/19/08

FINDING AND RECOMMENDATION(S)

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Finding:

The Lahontan Waterboard has interpreted their regulations to prohibit pile burning in Stream Environment Zones (SEZs). The spreading of chips in SEZs has also been prohibited in most circumstances. This interpretation of the rules creates operational burdens by requiring all material to be removed from the SEZs for disposal.

Background and Supporting Evidence:

Due to restrictions on equipment use in SEZs, material is generally removed from these areas using hand crews. Once material is removed from a SEZ by hand, it is either piled and burned or chipped. Due to restrictions regarding the spreading of chips in SEZs, chips must be spread in a non-SEZ area or removed from the site. Chips removed from SEZs must be transported to designated locations for disposal. There is presently a lack of disposal sites in some areas of the Basin.

Crew safety issues arise due to the difficulty of lifting heavy rounds and slash and moving this material to an accessible point outside the SEZ. Due to human physical limitations, large material cannot be removed using hand crews. This can create difficulty in meeting fuel treatment objectives. The use of hand crews to remove material from SEZs for disposal creates many operational and safety challenges and has proven to be costly and time consuming.

Most if not all SEZs within the Tahoe Basin have historically burned in the past, including the use of pile burning. There is no documented evidence of permanent adverse impacts from fuel reduction related pile burning in SEZs. There is no documented evidence that soils burned during pile burning operations no longer support native vegetative growth. Pile burning exposes a small percentage of the total land area to the effects of burning. If necessary, potential impacts of burning can be easily mitigated by pile placement, hydrophobic soil disturbance with shovels, etc.

There is no documented evidence of permanent adverse impacts from the spreading chips in SEZs within the Tahoe Basin.

Recommendation:

The Lahontan Waterboard should change their interpretation of their regulations to allow pile burning and the spreading of chipped material in SEZs.

Impacts of Implementation:

REQUIRED analysis of impacts on the following factors:

- ☐ Cost – reduce operational costs to land managers by eliminating the need to remove slash/debris from Stream Environment Zones for disposal.
- ☐ Funding source – none
- ☐ Staffing – increase crew efficiency by eliminating the need to remove slash/debris from Stream Environment Zones for disposal.
- ☐ Existing regulations and/or laws - expands interpretation of present laws.

OPTIONAL analysis of impacts:

- ☐ Operational – eliminates the need to remove all slash/debris from Stream Environment Zones for disposal.
- ☐ Social – none
- ☐ Political – positive political demonstration of common sense by a regulatory agency.
- ☐ Policy – none
- ☐ Health and Safety -reduces the potential for crew injuries resulting from carrying large amounts of wood material out of Stream Environment Zones.
- ☐ Environmental – encourages fuel reduction projects in Stream Environment Zones so as to prevent catastrophic wildfires such as the Angora Fire.
- ☐ Interagency - none